

**IDAHO COUNCIL ON  
DEVELOPMENTAL DISABILITIES  
MINUTES FOR JANUARY 27-28, 2005 MEETING**

<p style="text-align: center;">Full Council Meeting January 27, 2005, 11:15 a.m. – 5:00 p.m. January 28, 2005, 8:30 a.m. 12:00 p.m. Location: Red Lion ParkCenter Suites Hotel</p>	
<b>Call to Order</b>	Rick Betzer called the meeting to order at 11:55 a.m. on January 27, 2005.
<b>Roll Call</b>	<p><u>Council members present:</u> Jim Baugh, Liz Ricciardi, Mike Smith, Bob Jackson, Kristyn Herbert, Alice Florence, Tygh Hales, Rick Betzer, Wendy Shelman, Ken Deibert, Wendall Cass, Mary Johnson, Kim Kane, John Grover, Dona Butler and Roger Shanahan.</p> <p><u>Members absent:</u> Theresa Wilding, Julie Fodor, Jana Jones, Paige Fincher and Donna Denney.</p> <p><u>Staff members present:</u> Marilyn Sword, Tracy Warren, Ron Enright, Pam Stanley and Judy Wauer.</p> <p><u>Visitors/Facilitators:</u> Mary Bostick, Kelly Buckland, Lisa Marshall and Mike Holden</p>
<b>Welcome, Announcements, Review Agenda</b>	<p>Marilyn added Public Policy report under the consent agenda for Friday's meeting.</p> <p><u>Announcements:</u> Kim Kane reported that she has arranged for a national trainer to come to Idaho at no cost for a one-day training on March 22, 2005, at the Westgate office conference room. The training is primarily for providers, but anyone is welcome to attend. The training is on sexual abuse and violence toward people with disabilities.</p>
<b>Approval of October 28 – 30, 2004 Minutes</b>	The minutes of the October 28 – 30, 2004, Council meeting were approved as presented.
<b>Reports</b> <ul style="list-style-type: none"> <li>• <b>Chair's Report</b></li> <li>• <b>Director's Report</b></li> </ul>	<p><b>Chair's Report – Theresa Wilding was unable to attend the meeting so there was no Chair's report.</b></p> <p><u>Director's Report</u> – Marilyn distributed copies of her Director's Report. She apologized for the</p>
<ul style="list-style-type: none"> <li>• <b>Director's Report</b></li> </ul>	lateness of getting packets out. She reported that she made her first ever presentation to JFAC for the Council. We requested the same level of funding except for the same increases that are being sought by all agencies. The Council is asking to restore a staff position that was cut three years ago. It is federally funded and she doesn't foresee a problem. Our annual reported was submitted to ADD by the deadline of January 15. Marilyn encouraged members

	<p>to read the report and the status reports for an update on projects. Staff is working on developing a new website. The lease is up on our office space on May 31. We have made a counter proposal to the building's new owners since their proposal is for a substantial increase. We are also talking to the Department of Administration about potential other spaces. Tracy is taking a class from the University of Idaho-Boise Center and Christine is still involved in CPM (Certified Public Manager) training. Marilyn attended an NACDD Board Meeting in Santa Fe in January.</p>
<b>Legislative Briefing</b>	<p>Marilyn stated that there are two specific issues that we are asking Council members to talk to their legislators about. These are the Self-Determination Resolution and the revised Idahoans with Disabilities Act. Each Council member will have a fact sheet about the House Concurrent Resolution Self-Determination in Home and Community-Based Medicaid Waiver Services. The resolution was presented to the State Independent Living Council (SILC). They had some concerns. The Department of Health &amp; Welfare (DHW) has embraced the concept. They want to make self-determination a part of all of their waivers. The ones involved with the aged and disabled waiver haven't been a part of the discussion. There was a meeting Monday and they arrived at some language that has been taken back to Medicaid. All or most of the language changes will be</p>
<b>Legislative Briefing (cont'd)</b>	<p>incorporated. The revised information hasn't been printed yet so there is no bill number, but it doesn't change the talking points. Legislators may ask if they had already voted on this. Council members can explain that the earlier one encouraged DHW to collaborate with the Council in developing a model. That's been done now. Marilyn reviewed the resolution with Council members. It is basically a status report of what's been happening. It will be introduced in the House Health &amp; Welfare Committee, probably by Representative Kathie Garrett. DHW has been working with the Council and will have to submit a waiver amendment to the federal government. They have also been working with Centers on Medicare and Medicaid so they are well aware of what's going on. They want to pilot this in a couple of regions to test it before they roll it out to the entire state, probably one urban and one rural. It is important to do this right. An evaluation of the test will be provided to the legislature next year. DHW wants to do this with all of the waivers but they will start with adults with</p>

	<p>developmental disabilities. This resolution should give us a lot more momentum in the work we are doing. Marilyn reminded everyone to leave the information pages with their legislators. We don't know if this program will save money, but it has that potential. More importantly, it's the right way to do things. If Council members are asked a question that they don't know the answer, they should let the legislators know that they don't know and that the Council will get the information for them.</p> <p><u>Idahoans with Disabilities Act:</u> Kelly Buckland stated that about a year and a half ago the Task Force on the Idahoans with Disabilities Act was started. The idea was to build back in some of the protections lost through Supreme Court decisions.</p>
<b>Legislative Briefing (cont'd)</b>	<p>The Task Force ran into some opposition from the Association of Commerce and Industry, Association of Idaho Counties and Association of Idaho Cities. With the proposed changes, if you are discriminated against because of your disability you will be able to file a complaint under the Human Rights Act. It adds disabilities to the protected class. There is another bill that will be introduced and it deals with sovereign immunity, which means you can't sue your own state in federal court under the ADA. If the state waives their sovereign immunity it will allow people to sue their state in federal court. Three states have done this. Kelly reviewed the talking points with Council members. No legislation has been introduced yet. Kelly said it should be ready soon. It will probably be introduced in the House, either by Representative Debbie Field or Representative Kathie Garrett. The Human Rights Commission has been involved in this and their attorney has helped draft the legislation. It has a potential fiscal impact of \$20,000 per year, based on states that have had the Human Rights Commission handle these types of complaints and assuming Idaho has a similar number of complaints and approximately the same cost per complaint. It is estimated the first year would be a little higher so it may be less than \$20,000 after the first year. Kelly thanked Jim and Marilyn for being a part of this task force.</p>
<b>Special Education Report</b>	<p>Mary Bostick will not be able to be at the meeting on Friday so presented her report at this time. She reported that Jana Jones took the position of deputy superintendent of public instruction. Currently the State Department of Education is being reorganized. The Bureau of Special Education no</p>

	longer exists as a separate bureau; it is now the Bureau of Special Populations. The
<b>Special Education Report</b>	<p>State Director of Special Education is Marybeth Flachbart. Mary stated she is the assistant to the State Director of Special Education. Questions can be directed questions to Mary Bostick, but anything major can go to Marybeth.</p> <p>Russ Hammond will be attending the Council meeting on Friday and will bring a copy of the staff roster. He will talk about the state improvement grant. IDEA was reauthorized, a number of provisions go into effect immediately. The major portions of the law go into effect July 1.</p> <p>Tiered diploma options as part of graduation guidelines was discussed. Mary would like Jacque to attend the next meeting to talk to the Council about this. Mary passed around the graduation guidance document. Roger asked about getting a Certificate of Attendance changed to a valid diploma. Mary recommended they contact Jacque Hyatt for information on this. Mary stated that graduation and diplomas are a huge issue and they are continuing to work on this. Local districts are going to have the option of coming up with alternate graduation requirements. They don't currently have an array of options to present because it's fairly new throughout the country.</p> <p>Tracy has been involved in the Summit on Autism Spectrum Disorder. They are working on a 3-5 year action plan and would like to present a document to the stakeholder group on the 19<sup>th</sup> of May. Hopefully, the whole action plan will be approved in May.</p> <p>Jim Baugh asked about the Department reducing the requirements for speech therapists. Mary stated they are not doing this.</p>
<b>Recess for Legislative Visits</b>	<p>Marilyn reviewed with members where to find their legislators and what committee meetings they are in. She asked Council members to meet her at the coffee shop on the first floor of the Capitol building. She will provide everyone with the fact sheets that they need to distribute. The meeting recessed for legislative visits at 1:56 p.m.</p>
<b>Reconvene for Council Dinner – Team Building</b>	<p>The Council meeting reconvened at 6:00 p.m. at Jakers Restaurant. Wendy Shelman conducted a team building exercise with attendees building a chain of construction paper, using the theme of being linked together by their</p>

	lives, experiences and life situations. The Council recessed at 8:00 p.m.
<b>Call to Order</b>	Rick Betzer called the meeting to order at 8:45 a.m. on Friday, January 28, 2005.
<b>Roll Call</b>	<p><u>Council members present:</u> Jim Baugh, Liz Ricciardi, Mike Smith, Bob Jackson, Kristyn Herbert, Alice Florence, Tygh Hales, Rick Betzer, Wendall Cass, Wendy Shelman, Mary Johnson, Kim Kane, John Grover, Dona Butler and Roger Shanahan.</p> <p><u>Members absent:</u> Theresa Wilding Julie Fodor, Jana Jones, Donna Denney, Ken Deibert, Wendall Cass and Paige Fincher</p> <p><u>Staff members present:</u> Marilyn Sword, Ron Enright, Christine Pisani, Pam Stanley and Judy Wauer.</p> <p><u>Visitors/Facilitators:</u> Russ Hammond, Lisa Marshall, Mike Holden</p>
<b>Consent Agenda</b> <ul style="list-style-type: none"> <li><b>Executive Committee Report</b></li> <li><b>Consumer Leadership Report</b></li> <li><b>Public Policy Report</b></li> </ul>	<p><u>Executive Committee Report</u> – The committee reviewed the financial report. There was discussion regarding by-law and policy changes regarding member reimbursements. They will be looking at having Council members serve as liaisons to various committees and boards. The Executive Director’s performance evaluation process was reviewed. The Committee will be looking at a governance model. This would be a new way of running the organization. More information will follow at a later date. There were four conference funding requests approved. Three of those individuals will be attending the same conference and will be asked to make a presentation at a Council meeting on what they learned. A teleconference on sexuality issues for people with developmental disabilities was discussed. Christine Pisani and Mike Rogers from the Washington Council will be heading this up. The expense for the teleconference was approved.</p> <p><u>Consumer Leadership Report</u> – Kristyn reported the committee met on Wednesday. The packet was reviewed and time was spent on legislative issues. Marilyn gave an overview of CSHP, insurance reform, and the Council presentation to JFAC. Committee members gave reports on what they have been doing since the last meeting.</p> <p><u>Public Policy Report</u> – Bob reported that the committee briefly discussed council funding, Medicaid Buy-In, 18-211 was pulled, and they are waiting on changes to the Assisted Living and Certified Family Home act. Jim Baugh is</p>

	<p>attending a meeting this morning regarding Children's Special Health Program (CSHP), Kelly Buckland reported on the Idahoans with Disabilities Act and sovereign immunity. The self-determination resolution was discussed. Scott Burpee is introducing a bill that directs the Department of Health &amp; Welfare to work on a pilot program for residential care for individuals who have just come out of institutions. He is asking the Council to support the bill. It was very vague, there were concerns about fiscal impact and it was felt that the bill would not allow people to have a choice in their services. The Public Policy committee voted to oppose the legislation. Bob Jackson was elected as chair for the coming year. Marilyn explained that Jim Baugh is not attending the Council meeting today because he is in a meeting regarding the rule change for CSHP. We wrote a letter opposing the rule change and are asking for a modification via temporary rule. The Health &amp; Welfare Committee did not make a decision and wants a report back next week. Jim is meeting with the Division of Health and exploring some options. Marilyn will get information out to the Council as soon as she gets any new information.</p> <p><b>The committee reports were approved by unanimous consent.</b></p>
<b>Debrief from Legislative Visits</b>	<p>Council members reported on their legislative visits, which legislators they were able to meet with and who they left information for. It was felt that this was a very productive day.</p>
<b>Five-Year Plan Discussion</b>	<p>Ron distributed information regarding "Planning the Plan." The Developmental Disabilities (DD) Act requires all states to submit a Council Plan to the Administration of Developmental Disabilities (ADD) every five years. The current plan expires September 30, 2006. Information can be gathered through public meetings, focus groups and surveys. After the information is gathered, the data must be analyzed. At the next meeting there will be information on dates and times for meetings. After review and analysis, we will need to draft goals, strategies and target numbers to address the identified issues. Volunteer Council members will be needed to help with meetings; reviewing and analyzing the information and help with drafting goals, objectives and targets; and help reviewing and incorporating public comments into the final plan to be presented to the Council. Marilyn suggested a small group</p>

	<p>of core Council members that can act as an advisory group for Ron. We will ask for more specific help from members in their home regions. If you volunteer, please follow through. Mike and Alice volunteered to help. Lisa Marshall offered to help. Roger stated that he feels he would be able to help with organizing a local meeting. Russ Hammond stated that the Department of Education has various committees and groups that can help conduct surveys and provide assistance. Ron also distributed copies of the Bus Tour pamphlet.</p>
<b>Member Reports</b>	<p>Council members gave their reports on projects they have been working on since the last meeting.</p> <ul style="list-style-type: none"> <li>• Russ Hammond reported that he is the coordinator of a State Improvement Grant. They have just received a new 3-year grant. It is mainly for professional development and will be targeting better post school outcomes for people with disabilities. They will provide training on writing and implementing secondary transition plans.</li> <li>• Dona Butler reported that Idaho State School and Hospital (ISSH) is looking at changing their name to the Idaho Developmental Resource Center.</li> <li>• Bob Jackson reported that he is involved in Idaho Training Cooperative and they are working on new rules for DD and IBI rules for children, and adults to a lesser extent. There was a 2-day meeting in December. They are looking at trying to add a comprehensive evaluation prior to beginning therapy and are also looking at specialized daycare. Specialized childcare would require a Medicare waiver. Lisa Marshall is heading up a task force to look at specialized childcare.</li> <li>• Kim Kane reported that UCP has a new director, Lynn Cundick. Kim will serve on the Board. She is also working on a free training in March on abuse and violence (including sexual abuse). The training will be targeted toward providers but it is free and open to anyone who wants to attend. Kim stated that they are also working on suicide prevention with people with disabilities and are trying to find data on this issue.</li> <li>• Liz Ricciardi reported that she is the resource person at work to work with parents who are told their children have disabilities. Russ Hammond talked</li> </ul>

	<p>about creating a network of parents in communities and asked about the Mom's Coffee and Chat meetings that Liz attends. Marilyn also explained about the parents' league that Tracy is working on. She suggested Russ contact Tracy.</p> <ul style="list-style-type: none"> <li>• Mike Smith has a new e-mail address. He can be contacted at <a href="mailto:mikesinidaho@moscow.com">mikesinidaho@moscow.com</a>.</li> </ul>
<b>Open Forum/Parking Lot</b>	<ul style="list-style-type: none"> <li>• Marilyn reminded Council members that if their term on the Council expires this summer, they will need to submit another application if they are interested in staying on Council. The deadline for submitting an application is April 1, 2005. The Membership Committee will probably be meeting sometime in March to discuss recruitment. Positions available include the Department of Education representative and a parent vacancy. An application for the Vocational Rehabilitation position has been received. Council members who have terms that expire this year include: Kim Kane, John Grover, Wendy Shelman, Alice Florence, Kristyn Herbert and Jim Baugh. <ul style="list-style-type: none"> <li>• Christine Pisani briefly explained about the sexuality teleconference that is being scheduled. Self-advocates will be asked to participate in a teleconference regarding sexual issues and the development of a website to address these issues. The discussion will cover some of the issues that were brought up at the Partners Institute. The teleconference is scheduled for February 16, 2005, at 2:00 p.m.</li> </ul> </li> </ul>
<b>Next Meeting/Future Agenda Items</b>	<p>Items for April Agenda: Presentation from those who received conference funding; five-year plan; legislation update; Director's performance evaluation; office lease; by-law and policy changes.</p> <p>The Membership Committee tentatively scheduled a meeting for March 8. The date will be finalized later.</p> <p>The next Council meeting will be held April 28 – 29, 2005, at the Red Lion ParkCenter Suites.</p>
<b>Adjournment</b>	<p>There being no further business, the meeting was adjourned at 12:02 pm</p>